

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:  
RICHARD I. SAMUEL  
GOODWIN PROCTER LLP  
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## PCT

NOTIFICATION OF TRANSMITTAL OF  
INTERNATIONAL PRELIMINARY  
REPORT ON PATENTABILITY  
(Chapter II of the Patent Cooperation Treaty)

(PCT Rule 71.1)

Date of mailing  
(day/month/year)

Applicant's or agent's file reference

104570-549-PCT

### IMPORTANT NOTIFICATION

International application No.

PCT/US04/25866

International filing date (day/month/year)

31 July 2004 (31.07.2004)

Priority date (day/month/year)

31 July 2003 (31.07.2003)

Applicant

DEALERTRACK, INC.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary report on patentability and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices)(Article 39(1))(see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the *PCT Applicant's Guide*.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed invention is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

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Form PCT/IPEA/416 (January 2004)

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# PATENT COOPERATION TREATY

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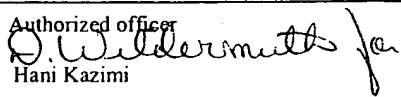
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# PATENT COOPERATION TREATY

## PCT

### INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 104570-549-PCT	<b>FOR FURTHER ACTION</b>		See Form PCT/IPEA/416																								
International application No. PCT/US04/25866	International filing date ( <i>day/month/year</i> ) 31 July 2004 (31.07.2004)	Priority date ( <i>day/month/year</i> ) 31 July 2003 (31.07.2003)																									
International Patent Classification (IPC) or national classification and IPC IPC(7): G06F 17/60 and US Cl.: 705/38, 35																											
Applicant DEALERTRACK, INC.																											
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>3</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p style="margin-left: 20px;">a. <input checked="" type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of <u>13</u> sheets, as follows:</p> <p style="margin-left: 40px;"><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p style="margin-left: 40px;"><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p> <p>4. This report contains indications relating to the following items:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 10%;"><input checked="" type="checkbox"/></td> <td style="width: 20%;">Box No. I</td> <td>Basis of the report</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>				<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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Date of submission of the demand 28 February 2005 (28.02.2005)		Date of completion of this report 27 June 2005 (27.06.2005)																									
Name and mailing address of the IPEA/ US Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703) 305-3230		Authorized officer  Hani Kazimi Telephone No. (571) 272-6745																									

Form PCT/IPEA/409 (cover sheet)(January 2004)

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**Box No. I Basis of the report**

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
  - ☐ publication of the international application (under Rule 12.4)
  - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the **elements** of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-77 as originally filed/furnished
- pages\* NONE received by this Authority on \_\_\_\_\_
- pages\* NONE received by this Authority on \_\_\_\_\_
- ☒ the claims:
- pages 78 as originally filed/furnished
- pages\* NONE as amended (together with any statement) under Article 19
- pages\* 3-15 received by this Authority on 24 March 2005 (24.03.2005)
- pages\* NONE received by this Authority on \_\_\_\_\_
- ☒ the drawings:
- pages 1/55 as originally filed/furnished
- pages\* NONE received by this Authority on \_\_\_\_\_
- pages\* NONE received by this Authority on \_\_\_\_\_
- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☒ The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to the sequence listing (*specify*): \_\_\_\_\_

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to the sequence listing (*specify*): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.  
PCT/US04/25866**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Statement**

Novelty (N)	Claims <u>NONE</u>	YES
	Claims <u>1-66</u>	NO
Inventive Step (IS)	Claims <u>NONE</u>	YES
	Claims <u>1-66</u>	NO
Industrial Applicability (IA)	Claims <u>1-66</u>	YES
	Claims <u>NONE</u>	NO

**2. Citations and Explanations (Rule 70.7)**

Claims 1-66 lack novelty under PCT Article 33(2) as being anticipated by Tengel et al. US Patent No. 5,940,812, (hereinafter "Tengel").

Claims 1-66, Tengel discloses an integrated electronic credit application, contracting, and securitization method, system, and computer program product for receiving credit application information of an applicant, selectively forwarding the credit application to one or more funding sources for approval to provide an approved credit application, processing electronic contract information and at least some of said application information from said approved credit application to provide an electronic contract between at least the applicant and a selected one of said funding sources, and storing and retrieving said electronic contract and maintaining the integrity of at least some of said application information contained in the electronic contract thereby providing irrevocable proof of the authenticity of said electronic contract (abstract, and column 4, line 46 thru column 11, line 61).

Claims 1-66 meet the criteria set out in PCT Article 33(4), and thus meet industrial applicability because the subject matter claimed can be made or used in industry.

----- NEW CITATIONS -----  
US 5,940,812 A (TENGE et al) 17 august 1999, see column 4, line 46 thru column 11, line 61).

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. An integrated electronic credit application, contracting and securitization system comprising:

one or more funding sources;

a credit application information entry and application routing system for providing a credit application containing application information of an applicant and for selectively forwarding said credit application to said one or more funding sources for approval to provide an approved credit application;

an eContracting system for interacting with said credit application information entry and application routing system to use at least some of said application information from said approved credit application to provide an electronic contract between at least said applicant and a selected one of said funding sources; and

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an eDocument storage system for storing and retrieving said electronic contract and maintaining the integrity of said at least some of said application information and electronic contract information contained therein thereby providing irrevocable proof of the authenticity of said electronic contract.

2. The integrated system as in claim 1 wherein said credit application information entry and application routing system further comprises at least one application entry and display device and said eContracting system provides on said application entry and display device an electronic contract form having at least one first data field containing at least a portion of said application information and at least one second data field for entry of electronic contract information by said applicant.
3. The integrated system as in claim 2 wherein said integrated system further comprises a storage medium and said eContracting system further stores in said storage medium at least a partially completed electronic contract.
4. The integrated system as in claim 2 wherein said eContracting system further provides on said least one application entry and display device tracking and status information about said electronic contract.
5. The integrated system as in claim 2 wherein said eContracting system forwards at least said electronic contract information to said selected funding source for

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verification purposes and receives a funding source verification message from said selected funding source.

6. The integrated system as in claim 5 wherein said verification message comprises funding source edits.
7. The integrated system as in claim 5 wherein said eContracting system further prevents access by said applicant to said electronic contract information until receipt of said funding source verification message.
8. The integrated system as in claim 5 wherein said eContracting system further provides said verification message on said at least one application entry display device.
9. The integrated system as in claim 2 wherein said eContracting system provides on said on said at least one application entry display device error information associated with the processing of said electronic contract.
10. The integrated system as in claim 2 wherein said integrated system further comprises at least one electronic signature device and wherein said eContracting system captures an electronic signature of at least said applicant of said electronic contract using said electronic storage device.
11. The integrated system as in claim 2 wherein said eContracting system selectively forwards said electronic contract information to another of said one or more funding sources for funding.



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12. The integrated system as in claim 10 wherein said credit application information entry and application routing system further comprises a printing device and wherein, prior to sending said electronic contract to said selected funding source for funding, said eContracting system force prints a copy of said electronic contract on said printer for said applicant to review.
13. The integrated system as in claim 2 wherein said integrated system comprises a second storage medium and wherein said eDocument storage system receives and stores in said second storage medium said electronic contract for a predefined period of time.
14. The integrated system as in claim 13 wherein said second storage medium is a database.
15. The integrated system as in claim 13 wherein said eDocument storage system retrieves said stored electronic contract from said second storage medium and displays said stored electronic contract having an "original" or "copy" designation on said at least one application entry and display device.
16. The integrated system as in claim 15 wherein said eDocument storage system retrieves said stored electronic contract from said second storage medium and prints said stored electronic contract having said "original" or "copy" designation on said printing device.
17. The integrated system as in claim 13 wherein said eDocument storage system provides for at least one authorized user of said eDocument storage system and

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maintains in said second storage medium user permissions data of said at least one authorized user.

18. The integrated system as in claim 17 wherein said authorized user comprises at least one party to said electronic contract.
19. The integrated system as in claim 18 wherein said authorized user comprises an agent of said at least one party to said electronic contract.
20. The integrated system as in claim 13 wherein said eDocument storage system tracks and stores in said second storage medium access and usage information about said eDocument storage system.
21. The integrated system as in claim 13 wherein said integrated system comprises a registry and said eDocument storage system stores electronic contract ownership information in said registry.
22. The integrated system as in claim 21 wherein said eDocument storage system displays said registry on said at least one application entry and display device.
23. A method in an integrated electronic credit application, contracting and securitization system, comprising the steps of:  
  
receiving credit application information of an applicant;  
  
selectively forwarding said credit application to one or more funding sources for approval to provide an approved credit application;

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processing electronic contract information and at least some of said application information from said approved credit application to provide an electronic contract between at least said applicant and a selected one of said funding sources; and;

storing and retrieving said electronic contract and maintaining the integrity of said at least some of said application information contained in the electronic contract thereby providing irrevocable proof of the authenticity of said electronic contract.

24. The method as in claim 23 further comprising the step of providing on at least one application entry and display device an electronic contract form having at least one first data field containing at least a portion of said application information and at least one second data field for entry of electronic contract information by said applicant.
25. The method as in claim 24 further comprising the step of storing in a storage medium at least a partially completed electronic contract.
26. The method as in claim 24 further comprising the step of providing on said least one application entry and display device tracking and status information about said electronic contract.

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27. The method as in claim 24 further comprising the step of forwarding at least said electronic contract information to said selected funding source for verification purposes and receiving a funding source verification message from said selected funding source.
28. The method as in claim 27 wherein said verification message comprises funding source edits.
29. The method as in claim 27 further comprising the step of preventing access to said electronic contract information by said applicant until receipt of said funding source verification message.
30. The method as in claim 24 further comprising the step of providing said verification message on said at least one application entry display device.
31. The method as in claim 24 further comprising the step of providing on said on said at least one application entry display device error information associated with the processing of said electronic contract.
32. The method as in claim 24 further comprising the step of capturing an electronic signature of at least said applicant of said electronic contract using an electronic signature device.
33. The method as in claim 24 further comprising the step of selectively forwarding said electronic contract information to another of said one or more funding sources for funding.

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34. The method as in claim 24 further comprising the step of, prior to sending said electronic contract to said selected funding source for funding, printing a copy of said electronic contract on a printing device for said applicant to review.
35. The method as in claim 24 further comprising the steps of receiving and storing in a second storage medium said electronic contract for a predefined period of time.
36. The method as in claim 35 wherein said second storage medium is a database.
37. The method as in claim 35 further comprising the steps of retrieving said stored electronic contract from said second storage medium and displaying said stored electronic contract having an "original" or "copy" designation on said at least one application entry and display device.
38. The method as in claim 37 further comprising the step of printing said stored electronic contract having said "original" or "copy" designation on said printing device.
39. The method as in claim 35 further comprising the steps of providing for at least one authorized user of said system and maintaining in said second storage medium user permissions data of said at least one authorized user.
40. The method as in claim 39 wherein said authorized user comprises at least one party to said electronic contract.
41. The method as in claim 39 wherein said authorized user comprises an agent of said at least one party to said electronic contract.

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42. The method as in claim 35 further comprising the steps of monitoring access to said electronic contract stored in said storage medium.
43. The method as in claim 35 further comprising the steps of providing and storing electronic contract ownership information in a registry.
44. The method as in claim 43 further comprising the step of displaying said registry on said at least one application entry and display device.
45. A program storage device readable by a machine, tangibly embodying a program of instructions executable by the machine to perform method steps for electronic credit application processing, contracting and securitizing, said method steps comprising:

receiving credit application information of an applicant;

selectively forwarding said credit application to one or more funding sources for approval to provide an approved credit application;

processing electronic contract information and at least some of said application information from said approved credit application to provide an electronic contract between at least said applicant and a selected one of said funding sources; and;

storing and retrieving said electronic contract and maintaining the integrity of said at least some of said application information contained therein thereby providing irrevocable proof of the authenticity of said electronic contract.

46. The program storage device as in claim 45 wherein the method steps further comprise providing on at least one application entry and display device an electronic contract form having at least one first data field containing at least a portion of said application information and at least one second data field for entry of electronic contract information by said applicant.
47. The program storage device as in claim 46 wherein the method steps further comprise storing in a storage medium at least a partially completed electronic contract.
48. The program storage device as in claim 46 wherein the method steps further comprise providing on said least one application entry and display device tracking and status information about said electronic contract.
49. The program storage device as in claim 46 wherein the method steps further comprise forwarding at least said electronic contract information to said selected funding source for verification purposes and receiving a funding source verification message from said selected funding source.
50. The program storage device as in claim 49 wherein said verification message comprises funding source edits.

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51. The program storage device as in claim 49 further comprising preventing access to said electronic contract information by said applicant until receipt of said funding source verification message.
52. The program storage device as in claim 49 wherein the method steps further comprise providing said verification message on said at least one application entry display device.
53. The program storage device as in claim 46 wherein the method steps further comprise providing for at least one authorized user of said system and maintaining in said second storage medium user permissions data of said at least one authorized user.
54. The program storage device as in claim 46 wherein the method steps further comprise capturing an electronic signature of at least said applicant of said electronic contract using an electronic signature device.
55. The program storage device as in claim 46 wherein the method steps further comprise selectively forwarding said electronic contract information to another of said one or more funding sources for funding.
56. The program storage device as in claim 54 wherein the method steps further comprise the step of, prior to sending said electronic contract to said selected funding source for funding, printing a copy of said electronic contract on a printing device for said applicant to review.



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57. The program storage device as in claim 46 wherein the method steps further comprise receiving and storing in a second storage medium said electronic contract for a predefined period of time.
58. The program storage device as in claim 57 wherein said storage medium is a database.
59. The program storage device as in claim 57 wherein the method steps further comprise the steps of retrieving said stored electronic contract from said second storage medium and displaying said stored electronic contract having an "original" or "copy" designation on said at least one application entry and display device.
60. The program storage device as in claim 59 wherein the method steps further comprise the step of printing said stored electronic contract having said "original" or "copy" designation on said printing device.
61. The program storage device as in claim 57 wherein the method steps further comprise the steps of providing and maintaining in said second storage medium user permissions data of an authorized user of said integrated system.
62. The program storage device as in claim 61 wherein said authorized user comprises at least one party to said electronic contract.
63. The program storage device as in claim 62 wherein said authorized user comprises an agent of said at least one party to said electronic contract.

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64. The program storage device as in claim 12 wherein the method steps further comprise monitoring access to said electronic contract stored in said storage medium.

65. The program storage device as in claim 57 wherein the method steps further comprise the steps of providing and storing electronic contract ownership information in a registry.

66. The program storage device as in claim 65 wherein the method steps further comprise the step of displaying said registry on said at least one application entry and display device.